

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:18-cv-00265-MR-WCM**

<b>TUSHKAHUMOC XELUP,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>ROBERT TODD WHITE, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
<hr/>	)	

**THIS MATTER** comes before the Court *sua sponte*.

On September 17, 2018, the Plaintiff filed a Complaint and an Application to proceed without having to prepay the costs associated with prosecuting the matter. [Docs. 1, 2]. On September 28, 2018, the Court denied the Plaintiff's Application to proceed *in forma pauperis* and gave the Plaintiff thirty (30) days to file an Amended Application or pay the required filing fee for this action. [Doc. 3].

On October 31, 2018, the Plaintiff filed an Amended Application to proceed *in forma pauperis*. [Doc. 4]. On November 6, 2018, the Court denied the Plaintiff's Amended Application and gave him thirty (30) days to pay the required filing fee for this action. [Doc. 6]. The Plaintiff was

specifically warned that “failure to pay the filing fee within the time required will result in this action being dismissed.” [Id. at 1].

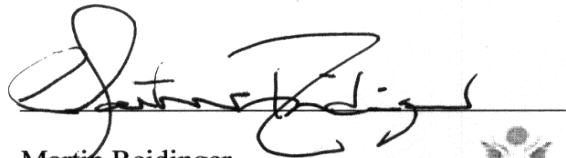
More than thirty (30) days have now passed since the entry of the Court’s Order denying the Plaintiff’s Amended Application, and the Plaintiff has failed to pay the filing fee as required.

Accordingly, **IT IS, THEREFORE, ORDERED** that this case is hereby **DISMISSED WITHOUT PREJUDICE.**

The Clerk of Court is directed to close this case.

**IT IS SO ORDERED.**

Signed: December 12, 2018

  
Martin Reidinger  
United States District Judge

